



MONROE COUNTY LAND AUTHORITY

1200 TRUMAN AVENUE, SUITE 207 • KEY WEST, FLORIDA 33040
PHONE (305) 295-5180 • FAX (305) 295-5181

MEMORANDUM

To: James Roberts, County Administrator
From: Mark Rosch, Executive Director *MR*
Monroe County Land Authority
Date: April 2, 2003
Subject: Land Authority Agenda Items for April 16, 2003 BOCC Meeting

Please include the following items on the Board of County Commissioners agenda for the above referenced meeting at a time approximate of 10:00 AM.

LAND AUTHORITY GOVERNING BOARD

1. Approval of minutes for the March 19, 2003 meeting.
2. Approval of a resolution authorizing the conveyance of property in Reimanns subdivision to the Middle Keys Community Land Trust, Inc. for the purpose of providing affordable housing.
3. Approval to purchase property.
 - a) Southern Pines subdivision
 - b) Little Torch Key acreage (RE #113680)
 - c) Summerland Estates subdivision
 - d) Ramrod Shores subdivisions

151-153

**LAND AUTHORITY GOVERNING BOARD
AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2003

Bulk Item: Yes ☐ No ☒

Department: Land Authority

Agenda Item Wording: Approval of minutes for the March 19, 2003 meeting.

Item Background: None.

Advisory Committee Action: N/A

Previous Governing Board Action: None.

Contract/Agreement Changes: N/A

Staff Recommendation: Approval.

Total Cost: \$ _____

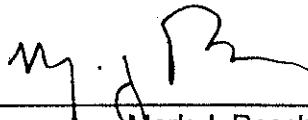
Budgeted: Yes ☐ No ☐

Cost to Land Authority: \$ _____

Source of Funds: _____

Approved By: Attorney ☐ County Land Steward ☐

Executive Director Approval: _____


Mark J. Rosch

Documentation: Included: ☒

To Follow: ☐

Not Required: ☐

Disposition: _____

Agenda Item LA #1

MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY
GOVERNING BOARD

March 19, 2003 Meeting Minutes

The Governing Board of the Monroe County Comprehensive Plan Land Authority held a regular meeting on Wednesday, March 19, 2003 at the Marathon Government Center. Chairman Murray Nelson called the meeting to order at 10:05 AM. Present and answering roll call, in addition to Chairman Nelson, were Commissioner Sonny McCoy, Commissioner George Neugent, Commissioner David Rice, and Mayor Dixie Spehar. Also in attendance were Executive Director Mark Rosch, Office Manager Kimberly Nystrom, Counsel Larry Erskine, and members of the press and public.

The first item on the agenda was approval of minutes for the February 19, 2003 meeting. A motion was made by Commissioner Rice and seconded by Mayor Spehar to approve the minutes as submitted. There being no objections, the motion carried (5/0).

The next item was approval to purchase the following properties:

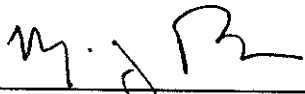
- A. Parcel F, unrecorded plat of Cudjoe Acres (RE #00115510-002700) on Cudjoe Key at a total cost of \$20,069.00.
- B. Block 7, Lots 3-7 and 22-26, Amended Plat of Key Largo Park (PB 3-62) on Key Largo at a total cost of \$135,385.00.
- C. The western portion of Windward Beach Estates (PB 4-131) on Little Torch Key (60 ownerships and 124 lots) at a total cost not to exceed \$500,000.00.

Mr. Rosch addressed the Board. A motion was made by Commissioner Neugent and seconded by Commissioner Rice to approve items A, B, and C as submitted. There being no objections, the motion carried (5/0).

The next item was approval to convey Plantation Key acreage (RE #93310 and part of 93300) to the Village of Islamorada subject to a conservation easement. Mr. Rosch addressed the Board regarding the proposed interlocal agreement. A motion was made by Commissioner Neugent and seconded by Mayor Spehar to approve the interlocal agreement as submitted. There being no objections, the motion carried (5/0).

There being no further business, the meeting was adjourned at 10:08 AM.

Minutes prepared by:



Mark J. Rosch
Executive Director

Approved by the Board on: _____

**LAND AUTHORITY GOVERNING BOARD
AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2003

Bulk Item: Yes ☐ No ☒

Department: Land Authority

Agenda Item Wording: Approval of a resolution authorizing the conveyance of property in Reimanns subdivision to the Middle Keys Community Land Trust, Inc. for the purpose of providing affordable housing.

Item Background: The subject property consists of 4 lots totaling 1.2 acres on 73rd Street Ocean in Marathon. The property is zoned Improved Subdivision and has vegetation classified as disturbed with exotics. The City of Marathon nominated the property and requests that it be conveyed to the Middle Keys Community Land Trust, Inc. (MKCLT) for development with affordable housing. MKCLT is a newly-formed not-for-profit affordable housing group that proposes to build 4 single-family homes for occupancy by moderate income families. The community land trust housing model is a hybrid of homeownership and rental, whereby MKCLT would sell the houses to qualified buyers and lease them the underlying land.

The proposed resolution authorizes the Land Authority to impose perpetual affordable housing deed restrictions.

Advisory Committee Action: On March 26, 2003 the Advisory Committee voted 5/0 to approve the proposed conveyance, subject to legal review of MKCLT's organizational documents.

Previous Governing Board Action: This would be the first property the Board has conveyed to MKCLT.

Contract/Agreement Changes: N/A

Staff Recommendation: Approval.

Total Cost: \$ 24.00 (recording fees)

Budgeted: Yes ☒ No ☐

Cost to Land Authority: \$ 24.00

Source of Funds: Land Authority
(Tourist Impact Tax and State Park Surcharge)

Approved By: Attorney ☒ County Land Steward ☐

Executive Director Approval: 

Mark J. Rosch

Documentation: Included: ☒

To Follow: ☐

Not Required: ☐

Disposition: _____

Agenda Item LA #2

RESOLUTION NO. _____

A RESOLUTION OF THE MONROE COUNTY
COMPREHENSIVE PLAN LAND AUTHORITY AUTHORIZING
THE CONVEYANCE OF PROPERTY IN REIMANN'S
SUBDIVISION IN MARATHON TO THE MIDDLE KEYS
COMMUNITY LAND TRUST, INC. FOR THE PURPOSE OF
PROVIDING AFFORDABLE HOUSING.

WHEREAS, section 380.0666(3), Florida Statutes (FS) and section 9.3-2, Monroe County Code, empower the Monroe County Comprehensive Plan Land Authority (hereinafter "Land Authority") to acquire and dispose of interests in real property for the purpose of providing affordable housing to very low, low, and moderate income persons as defined in section 420.0004, FS, where said acquisitions are consistent with a comprehensive plan adopted pursuant to Chapter 380, FS; and

WHEREAS, the Middle Keys Community Land Trust, Inc. (hereinafter MKCLT) is a not-for-profit Florida corporation organized for charitable purposes that include providing for the development and preservation of decent, permanently affordable housing for low and moderate income people in the Middle Keys area; and

WHEREAS, Marathon City Commission Resolution #02-07-93 nominates Lots 12-15 of Reimann's subdivision on 73rd Street Ocean in Marathon (hereinafter "subject property") for purchase by the Land Authority as an affordable housing site in partnership with MKCLT; and

WHEREAS, the Land Authority has acquired the subject property; and

WHEREAS, said Resolution requests that the Land Authority convey the subject property to MKCLT and allow MKCLT to manage the property as affordable housing; and

WHEREAS, at a meeting held on March 26, 2003, the Land Authority Advisory Committee voted 5/0 to recommend approval of said conveyance, subject to the conditions contained in this Resolution; and

WHEREAS, the Governing Board wishes to approve the Advisory Committee's recommendations; NOW, THEREFORE,

BE IT RESOLVED BY THE MONROE COUNTY COMPREHENSIVE PLAN LAND AUTHORITY:

The Chairman of the Land Authority Governing Board is hereby authorized to sign a deed conveying Lots 12-15, Reimann's subdivision (PB 2-145) on 73rd Street Ocean in Marathon (hereinafter "subject property") to the Middle Keys Community Land Trust, Inc. Said deed shall restrict future use of the property to the requirements specified in Attachment A.

PASSED AND ADOPTED by the Monroe County Comprehensive Plan Land Authority at a regular meeting on this _____ day of _____, 2003.

(Seal)

ATTEST:

MONROE COUNTY COMPREHENSIVE
PLAN LAND AUTHORITY

Mark J. Rosch
Executive Director

Murray E. Nelson
Chairman

Approved for Legal Sufficiency

Larry R. Erskine

ATTACHMENT A

AFFORDABILITY COVENANTS

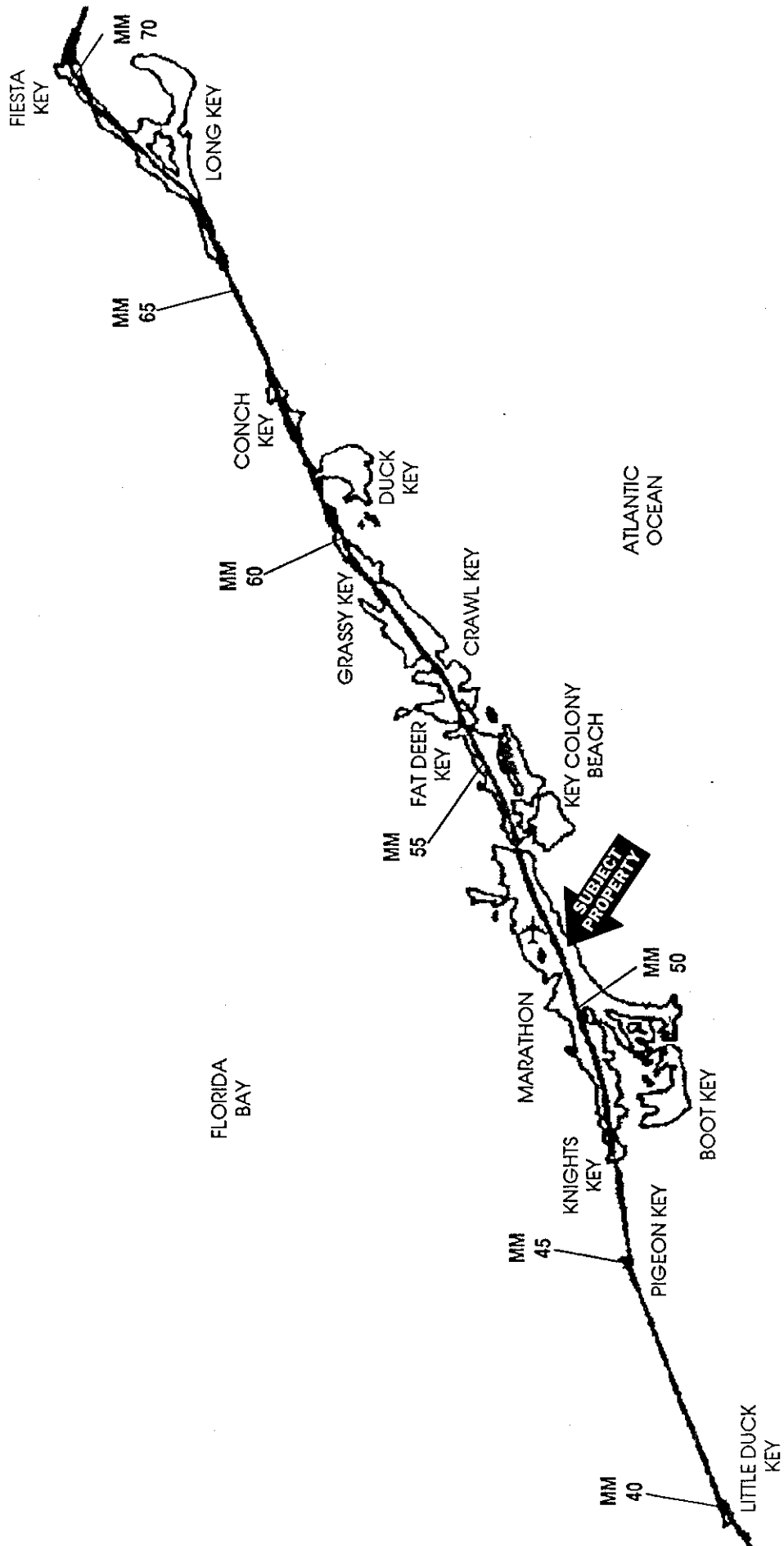
1. Affordability Period. These affordability requirements shall run with the property and shall not expire.
2. Income Limits, Use and Transfer Restrictions. Middle Keys Community Land Trust, Inc. (hereinafter "MKCLT") shall make the property available as either ownership housing or rental housing in accordance with the conditions specified below.
 - 2.1. Ownership Housing. MKCLT shall retain title to the land under ownership housing and shall not subsequently transfer title to the land without approval of Monroe County Comprehensive Plan Land Authority (hereinafter "MCLA"). Ownership of the improvements, together with a leasehold interest in the land, may be conveyed by MKCLT subject to the following conditions.
 - 2.1.1. Use and Occupancy. The subject property shall be owner occupied and used as the homeowner's primary residence and such other uses incidental to residential use as may be permitted by local zoning and land use regulations.
 - 2.1.2. Income Qualified Buyers. Except in the case of inheritance by the owner's spouse, children, or a member of the household who has resided on the premises for at least a year prior to conveyance by gift or estate, ownership shall be restricted to households earning less than or equal to 120% of the Monroe County median income adjusted for household size at the time of conveyance (hereinafter "Income Qualified Buyer").
 - 2.1.3. Affordability. For ownership housing, monthly housing costs, defined as principal, interest, taxes, insurance (PITI), homeowner association fees [if any] and ground rent, shall not exceed the annual adjusted gross household income multiplied by 0.30 and divided by 12, all in accordance with §420.0004, Florida Statutes.
 - 2.1.4. Resale Limits. The leasehold estate and the improvements located thereon may be transferred, subject to the provisions of Paragraph 2.1.2 above, provided the transfer price does not exceed the sum of the price the current owner paid plus 25% of the amount by which the unrestricted market value of the improvements may have appreciated during the current owner's period of ownership.
 - 2.1.5. Special Provisions. (None)
 - 2.2. Rental Housing. MKCLT shall retain title to the land under rental housing and shall not subsequently transfer title to the land without approval of MCLA. Ownership of the improvements located on such land may either be retained by MKCLT or may be sold together with a leasehold interest in the land to another legal person subject to the following conditions.
 - 2.2.1. Use & Occupancy. The subject property shall be operated, managed and otherwise administered as permanently affordable rental housing and such other uses incidental to residential use as may be permitted by local zoning and land use regulations.
 - 2.2.2. Income Qualified Tenants. Occupancy of rental housing units shall be restricted to households earning less than, or equal to, 120% of the Monroe County median income adjusted for household size at the time of initial occupancy (hereinafter

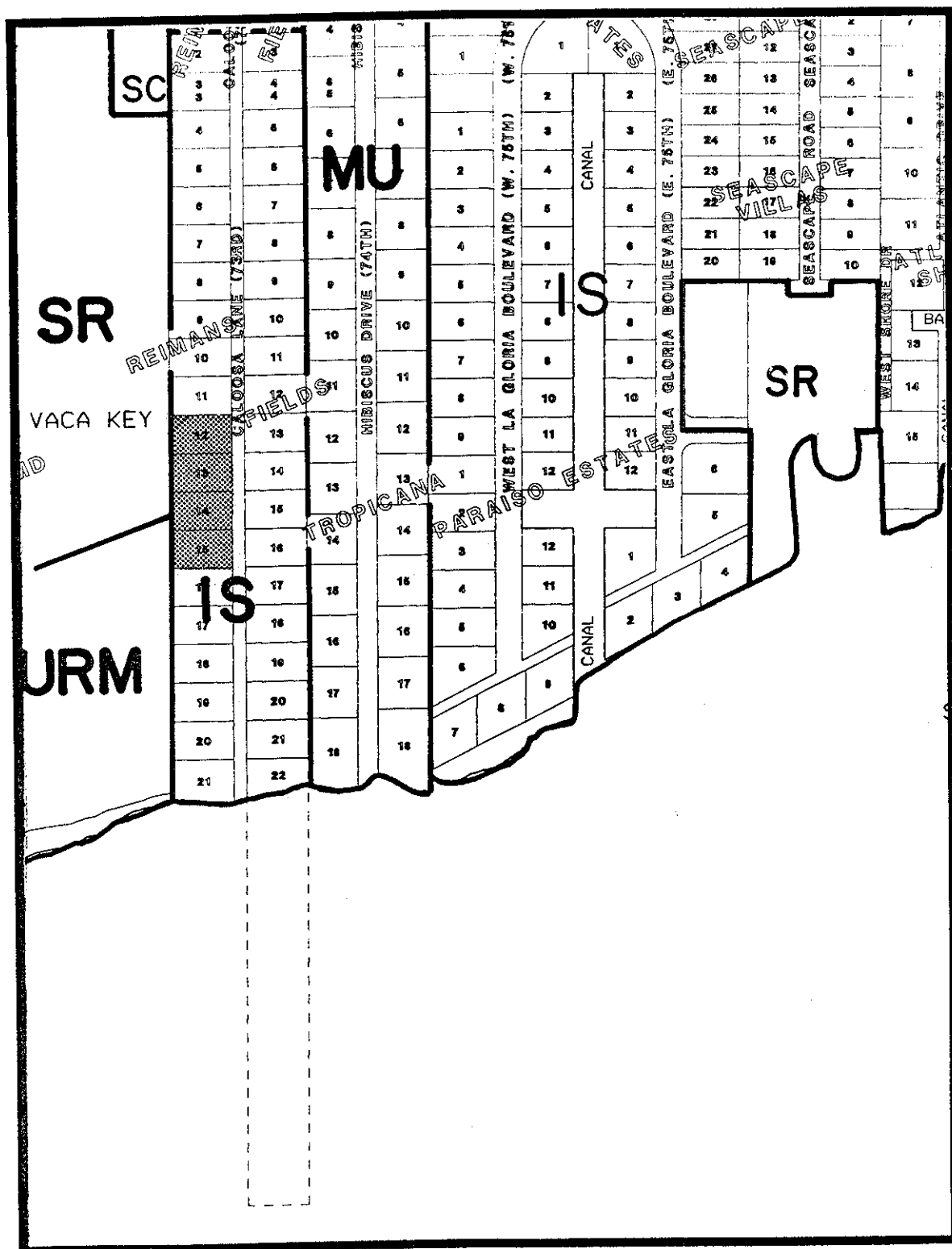
"Income Qualified Tenant").

2.2.3. Affordability. For rental housing, affordable shall be defined as monthly housing costs (defined as rent plus utilities not provided by owner) that do not exceed the annual adjusted gross household income multiplied by 0.30 and divided by 12, all in accordance with §420.0004, Florida Statutes.

2.2.4. Special Provisions. (None)

3. Profit. MKCLT is a not-for-profit corporation. MKCLT is prohibited from earning profit on the subject property.
4. Refinancing Limits. MKCLT shall be prohibited from encumbering the land for any purpose without the prior approval of MCLA, except for encumbrances for projects resulting in capital improvements to the property.
5. Affordability Monitoring. MKCLT will be responsible for ensuring these affordability requirements are maintained. Whenever the leasehold estate is transferred MKCLT shall provide certification to the MCLA documenting these affordability requirements have been met.





Mile Marker 50.8 Island Vaca Key

Property Reimanns Subdivision

U.S. 1 OVERSEAS HWY

ALDOSA LANE

EAST LA GLORIA BOULEVARD

OLEANDER DRIVE

**LAND AUTHORITY GOVERNING BOARD
AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2003

Bulk Item: Yes ☐ No ☒

Department: Land Authority

Agenda Item Wording: Approval to purchase property – Southern Pines subdivision.

Item Background: This purchase is proposed to protect property rights and natural resources. Southern Pines subdivision is located at MM 31 on Big Pine Key. The subject property consists of 1.2 acres of hammock and buttonwood vegetation zoned Suburban Commercial (SC). The property would score poorly in ROGO due to environmental sensitivity. Under the draft Key Deer Habitat Conservation Plan, commercial development would no longer be allowed on this property and the site would have a mitigation H-value of 0.0084. Acquisition of the site will protect native habitat, retire commercial development rights, and preserve greenspace along US-1.

Land stewardship needs for this property are anticipated to be low. The property is in the Coupon Bight/Key Deer Forever Florida project and therefore conveyance to the State at a future date may be possible.

The Land Authority's standard purchase contract will be used for this transaction. The agenda packet spreadsheet lists the legal description, purchase price, and estimated closing costs.

Advisory Committee Action: On March 26, 2003 the Advisory Committee voted 5/0 to approve the proposed purchase.

Previous Governing Board Action: None.

Contract/Agreement Changes: N/A

Staff Recommendation: Approval.

Total Cost: \$ 97,660.50

Budgeted: Yes ☒ No ☐

Cost to Land Authority: \$ 97,660.50

Source of Funds: Land Authority
(Tourist Impact Tax and State Park Surcharge)

Approved By: Attorney ☒ County Land Steward ☒

Executive Director Approval: 

Mark J. Rosch

Documentation: Included: ☒

To Follow: ☐

Not Required: ☐

Disposition: _____

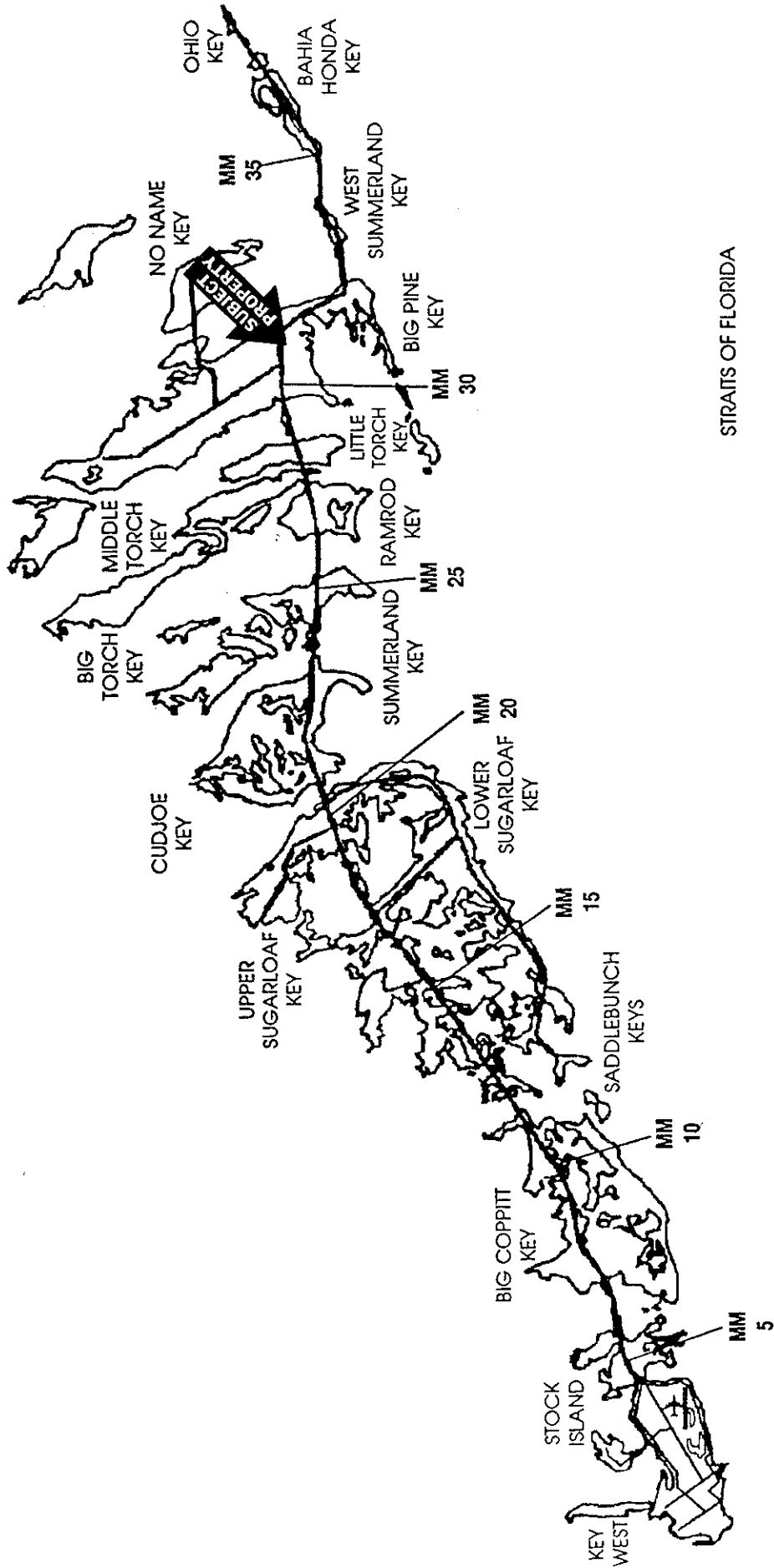
Agenda Item LA #3a

PURCHASE CONTRACTS

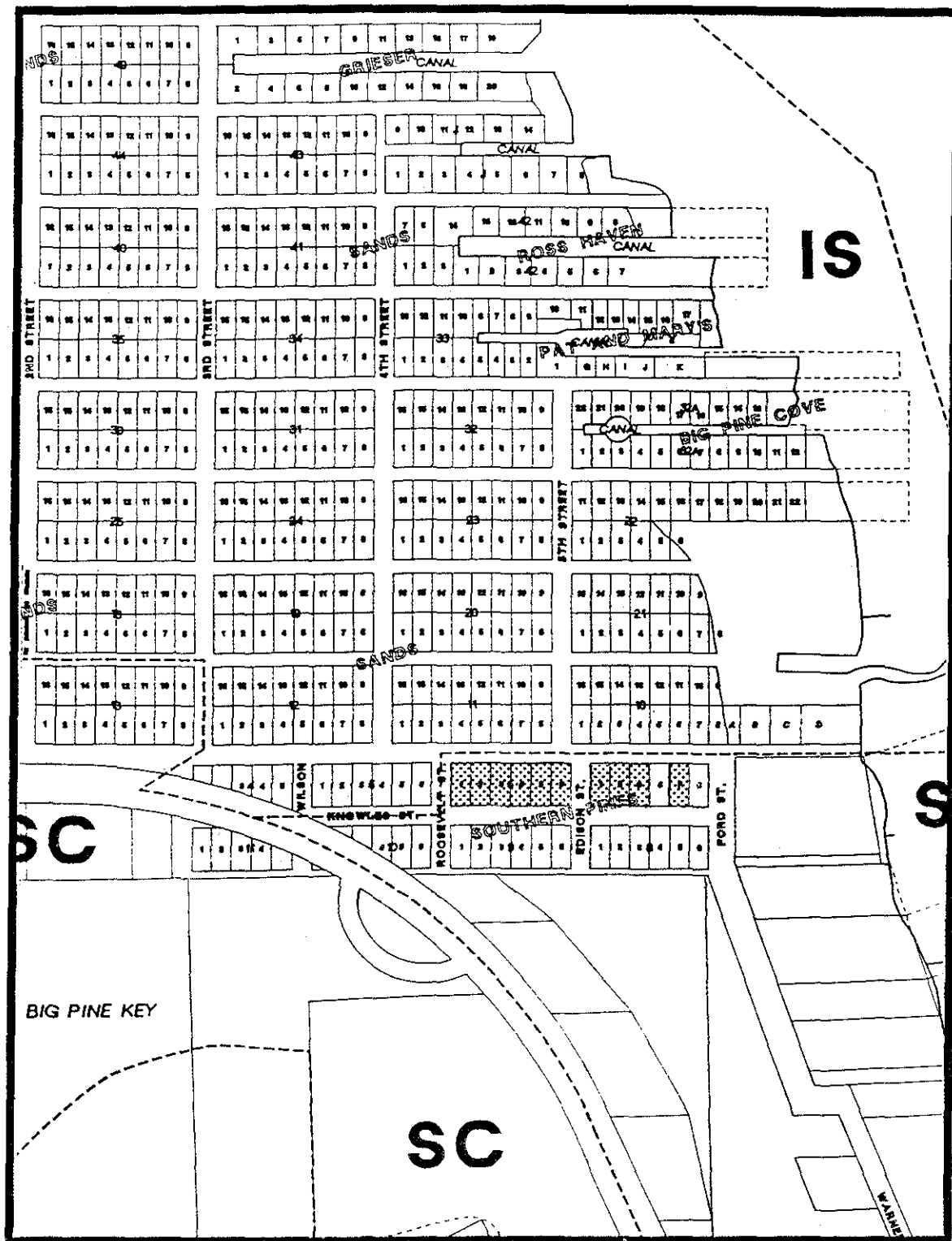
04/16/03

Property	Purchase Price	Envr. Audit, Survey or Clean-up	Title Insurance	Attorney Fee	Recording Fee	Acquisition Total
Southern Pines Subdivision (PB 1-112)						
RE#00110370-000000 (Stockinger)	\$95,000.00	\$1,500.00	\$675.00	\$475.00	\$10.50	\$97,660.50

FLORIDA
BAY

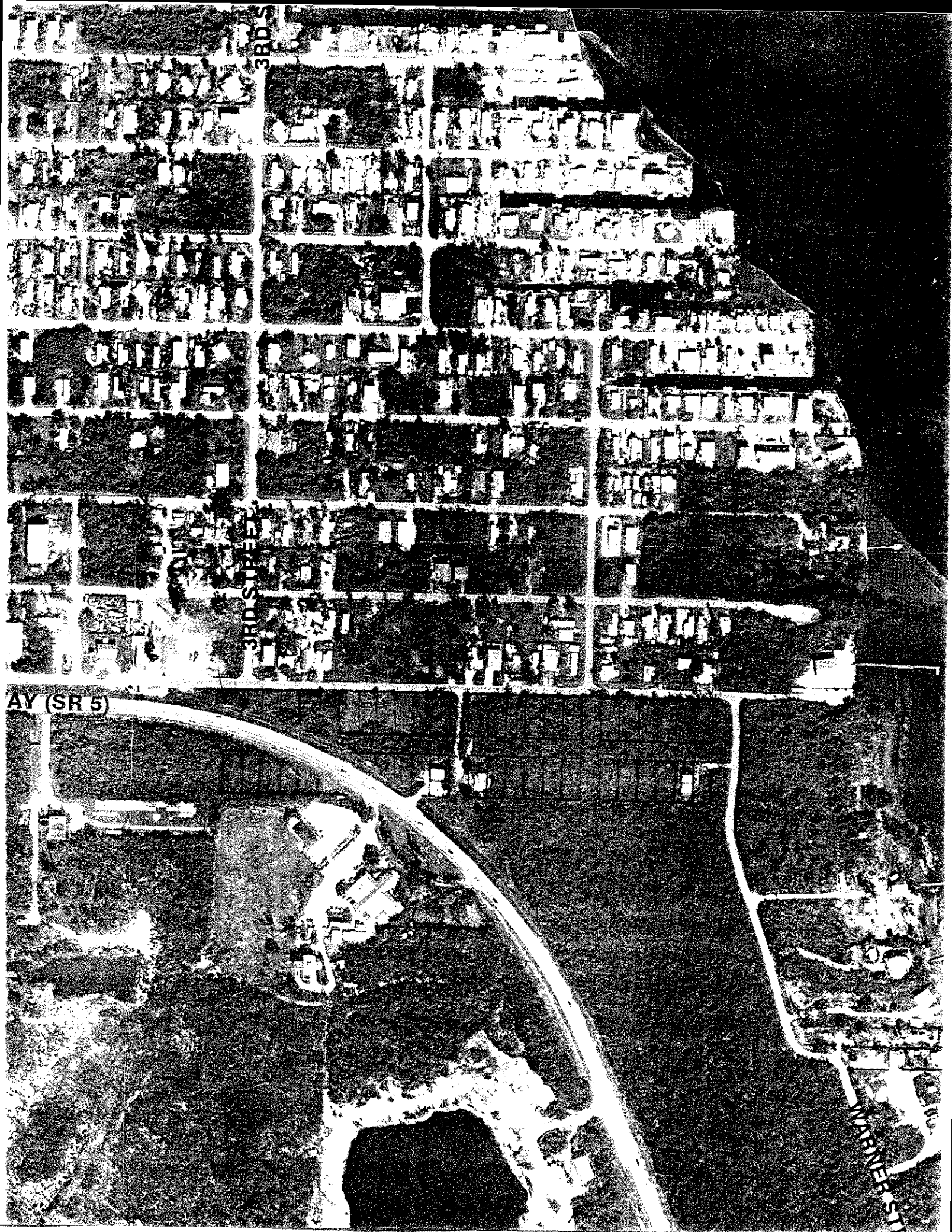


STRAITS OF FLORIDA



Mile Marker 30.9 Island BIG PINE

Property SOUTHERN PINES SUBDIVISION



**LAND AUTHORITY GOVERNING BOARD
AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2003

Bulk Item: Yes ☐ No ☒

Department: Land Authority

Agenda Item Wording: Approval to purchase property – Little Torch Key acreage (RE #113680).

Item Background: This item is proposed to protect property rights and natural resources. The subject property consists of 3 acres of hammock, wetlands, and open water zoned Native Area (NA) on Little Torch Key. The property is too small to meet the minimum upland acreage (4 acres) required to build a single-family home in this zoning district and the property would score poorly in ROGO.

Land stewardship needs for this property are anticipated to be low.

The Land Authority's standard purchase contract will be used for this transaction. The agenda packet spreadsheet lists the legal description, purchase price, and estimated closing costs.

Advisory Committee Action: On March 26, 2003 the Advisory Committee voted 5/0 to approve the proposed purchase.

Previous Governing Board Action: None.

Contract/Agreement Changes: N/A

Staff Recommendation: Approval.

Total Cost: \$16,119.50


Budgeted: Yes ☒ No ☐

Cost to Land Authority: \$ 16,119.50

Source of Funds: Land Authority
(Tourist Impact Tax and State Park Surcharge)

Approved By: Attorney ☒ County Land Steward ☒

Executive Director Approval: _____


Mark J. Rosch

Documentation: Included: ☒

To Follow: ☐

Not Required: ☐

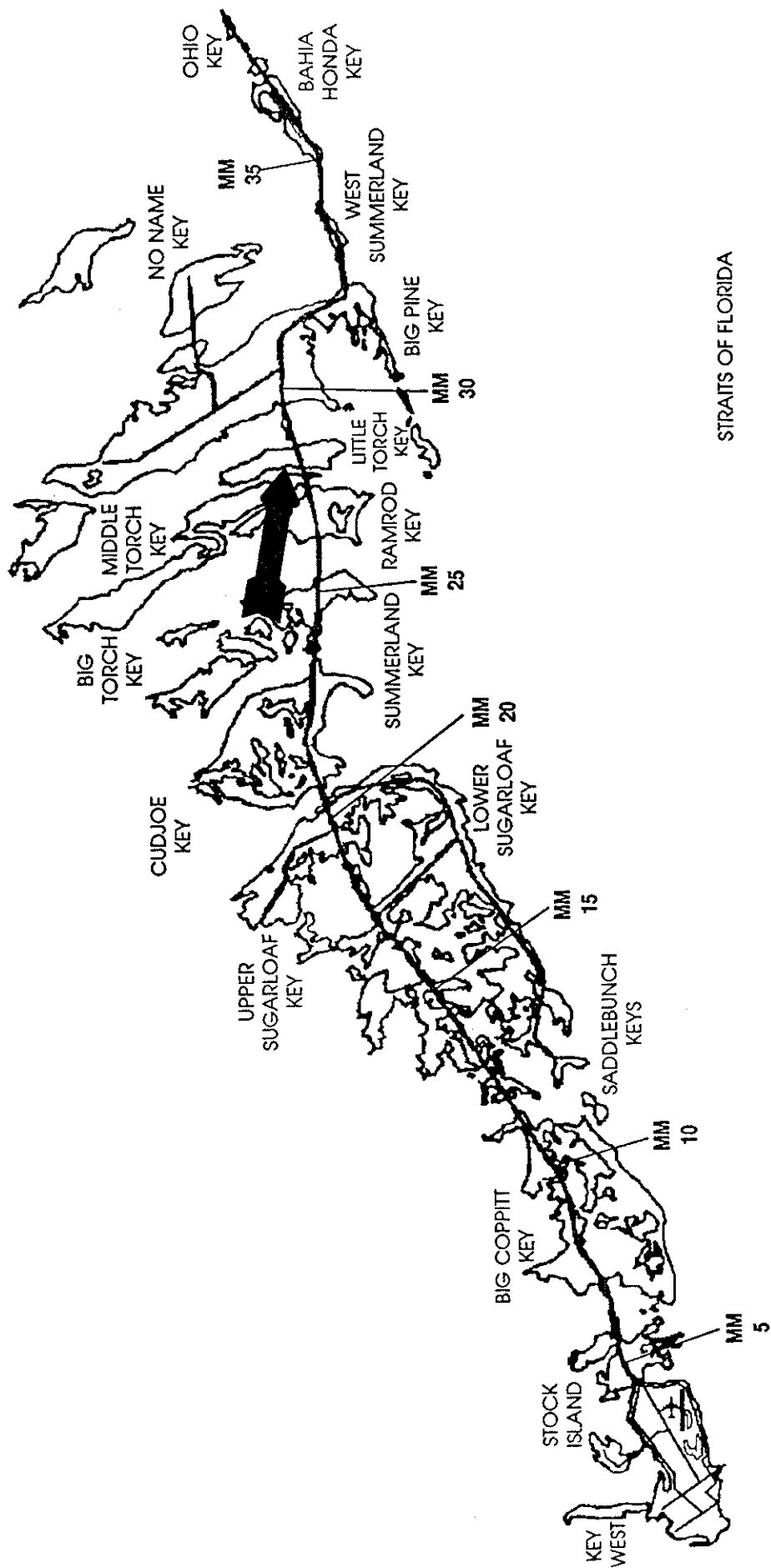
Disposition: _____

Agenda Item LA #3b

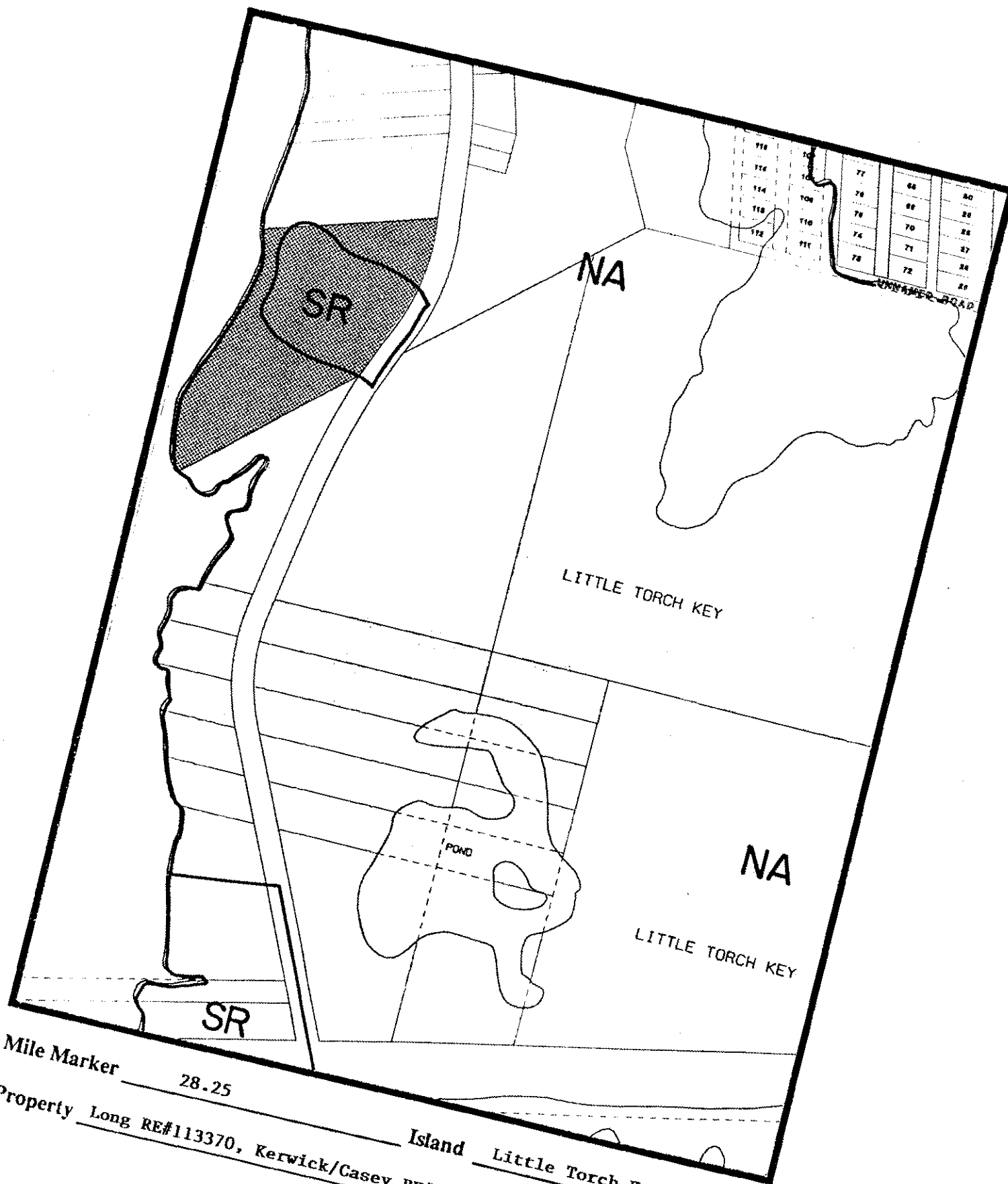
PURCHASE CONTRACTS
04/16/03

<u>Property</u>	<u>Purchase Price</u>	<u>Envr. Audit, Survey or Clean-up</u>	<u>Title Insurance</u>	<u>Attorney Fee</u>	<u>Recording Fee</u>	<u>Acquisition Total</u>
Little Torch Key Acreage RE#00113680-000000 (Casey/Kerwick)	\$15,650.00	N/A	\$200.00	\$250.00	\$19.50	\$16,119.50

FLORIDA
BAY



STRAITS OF FLORIDA



Mile Marker 28.25

Property Long RE#113370, Kerwick/Casey RE#113680 Island Little Torch Key